

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

Town Planning – Rajahmundry Municipal Corporation – Certain variation in the Master Plan - Change of land use from Transport and Communication use zone to Commercial use zone in Plot Nos.1 to 6 (Old Godavari Railway Station) in T.S.No.98, Ward No.3, Block No.4 of Rajahmundry to an extent of 12,753.22 Sq.Mtrs. - Draft Variation – Confirmed – Orders - Issued.

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MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (H1) DEPARTMENT

G.O.Ms.No.397

Dated the 2<sup>nd</sup> June, 2008.

Read the following:-

1. G.O.Ms.No.465 MA., dated 29.10.1975.
2. From the Chief General Engineer, South Central Railway, Sec'bad, Letter No.W.277/G/PD/LS/GVN/W-17, dated 11.8.2006.
3. From the Managing Partner, M/s. MM Constructions, Ameerpet, Hyderabad, Letter No.MMC/RJH/2006-2007/007, dated 19.8.2006 received through M(MA), Endorsement No.945-M/MA&UD/2006, dated 19.8.2006.
4. Government Memo. No.15837/H1/2006-1, Municipal Administration and Urban Development Department, dated 1.9.2006.
5. From the Director of Town and Country Planning, Hyderabad, Letter Roc.No.8057/2006/R, dated 19.5.2007.
6. Government Memo. No.15837/H1/2006-2, Municipal Administration and Urban Development Department, dated 11.7.2007.
7. From the Director of Town and Country Planning, Hyderabad, Letter Roc.No.8057/2006/R, dated 21.9.2007.
8. Government Memo. No.15837/H1/2006-3, Municipal Administration and Urban Development Department, dated 17.11.2007.
9. From the Director of Town and Country Planning, Hyderabad, Letter Roc.No.8057/2006/R, dated 15.2.2008.
10. Government Memo. No.15837/H1/2006-4, Municipal Administration and Urban Development Department, dated 1.3.2008.
11. From the Commissioner of Printing, A.P., Extraordinary Gazette No.119, Part-I, dated 4.3.2008.
12. From the applicant, representation dated 13.3.2008 received through the M(MA&UD), Endorsement No.498/M(MA&UD)/2008, dated 16.3.2008.
13. Government Letter No.15837/H1/2006-5, Municipal Administration and Urban Development Department, dated 30.4.2008.
14. From the Chief General Engineer, Headquarters Office, Works Branch, Rail Nilayam, Secunderabad, Letter No.W.277/G/PD/LS/GVN/Vol.II/W-17, dated 12.5.2008.

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**ORDER:**

The draft variation to the Rajahmundry General Town Planning Scheme, the Master Plan for which was sanctioned in G.O.Ms.No. 465 MA., dated 29.10.1975, was issued in Government Memo. No. 15837/H1/2006-4, Municipal Administration and Urban Development Department, dated 1.3.2008 and published in the A.P., Extraordinary Gazette No. 119, Part-I, dated 4.3.2008. The Director of Town and Country Planning, Hyderabad in his letter dated 15.2.2008 has stated that the Municipal Commissioner, Rajahmundry Municipal Corporation has informed that the applicant has paid an amount of Rs.3,82,800/- (Rupees three lakhs eighty two thousand and eight hundred only) towards conversion charges as per G.O.Ms.No.158., MA., dated 22.3.1996. Hence, the draft variations are confirmed.

2. The appended notification will be published in the next issue of the Andhra Pradesh Gazette.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.P.SINGH,**  
**PRINCIPAL SECRETARY TO GOVERNMENT.**

To  
The Commissioner of Printing, Hyderabad.

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The Director of Town and Country Planning, Hyderabad.  
The Regional Deputy Director of Town Planning, Rajahmundry, East Godavari District.  
The Municipal Commissioner, Rajahmundry Municipal Corporation, East Godavari District.

Copy to:

The individual through the Municipal Commissioner, Rajahmundry Municipal Corporation, East Godavari District.  
The District Collector, East Godavari District.  
The Private Secretary to M(MA).  
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

**APPENDIX**  
**NOTIFICATION**

Whereas in Government Memo. No.15837/H1/2006-4, Municipal Administration and Urban Development Department, dated 1.3.2008, draft notification for variation to the Rajahmundry General Town Planning Scheme was issued inviting objections and suggestions on the proposed change of land use from Transport and Communication use zone to Commercial use zone in Plot Nos.1 to 6 (Old Godavari Railway Station) in T.S.No.98, Ward No.3, Block No.4 of Rajahmundry to an extent of 12,753.22 Sq.Mtrs., subject to certain conditions specified there in and one of such condition is that **“the applicant shall maintain minimum buffer zone of 100 feet from the railway boundary”**. The same was published in the A.P.Extraordinary Gazette No.119, Part-I, dated 4.3.2008 as required by Clause (b) of sub-section (2) of Section 15 of the Andhra Pradesh Town Planning Act, 1920 (Act VII of 1920).

And whereas, after issue of above Notification, the applicant has requested the Government not to insist the condition to maintain the minimum buffer zone of 100 feet from the Railway boundary as the South Central Railway are the absolute owner of the land.

And whereas, on the request of the applicant, the Chief General Engineer, South Central Railway, Secunderabad has informed the Government that the provision of leaving 100 feet width from Railway boundary as per the Indian Railway Works Manual is applicable for the private constructions that are being developed by the private owners adjacent to the Railway land and not for the constructions taken up within the Railway land by Railways / its Agencies. In this case, the Railway land was leased for commercial development within Railway land and thus, there is no question of leaving 100 feet buffer zone beyond the Railway boundary. He has also informed that, while considering to take up the commercial development, the future needs of the Railways have been taken care.

In view of the above circumstances, after careful examination of the matter, Government have decided to consider the change of land use duly modifying the minimum buffer zone from 100 feet to 40 feet from the Railway boundary, though the land under reference is belongs to Railways, it is proposed to be used for commercial complex. The buffer distance is being insisted to segregate the railway activities with other activities.

Now, therefore, in exercise of the powers conferred by clause (a) of sub - section (2) of section 15 of the Andhra Pradesh Town Planning Act, 1920 the Government of Andhra Pradesh hereby makes the following variation to the Master Plan of Rajahmundry Town, East Godavari District the same having been previously published in the extraordinary issue of Andhra Pradesh Gazette No. 119, Part-I, dated 4.3.2008 as required by clause (b) of the said section.

**VARIATION**

The site in Plot Nos.1 to 6 (Old Godavari Railway Station) in T.S.No.98, Ward No.3, Block No.4 in Rajahmundry to an extent of 12,753.22 Sq.Mtrs., the boundaries of which are as shown in the schedule hereto and which is earmarked for Transport and Communication use zone in the General Town Planning Scheme (Master Plan) of Rajahmundry Town sanctioned in G.O.Ms.No. 465 MA., dated 29.10.1975 is designated for Commercial use zone by variation of change of land use as marked as “ABC&D” shown in the revised part proposed land use map GTP No.3/2008/R which is available in Municipal Office, Rajahmundry Town, **subject to the following conditions; namely:-**

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1. That the title and Urban Land Ceiling / Agricultural land ceiling aspect shall be scrupulously examined by the concerned authorities i.e., Urban Development Authorities / Municipal Corporations / Municipalities before issue of building permission / development permission.
2. That the above change of land use is subject to the conditions that may be applicable under the Urban Land Ceiling Act, 1976 and A.P. Agriculture Ceiling Act.
3. The owners / applicants are solely responsible for any misrepresentation with regard to ownership / title, Urban Land Ceiling Clearances etc. The owners / applicants shall be responsible for any damage claimed by any one on account of change of land use proposed.
4. The change of land use shall not be used as the proof of any title of the land.
5. The change of land use shall not be used as the sole reason for obtaining exemption from the provisions of Urban Land Ceiling Act, 1976.
6. The applicant shall obtain layout / development permission from Director of Town and Country Planning / competent authority as the case may be.
7. The applicant shall maintain minimum buffer zone of 40 feet from the railway boundary.

**SCHEDULE OF BOUNDARIES**

North : Railway property.  
East : Railway property.  
South : Existing 60 feet wide Master Plan road.  
West : Existing 102 feet wide cement road.

**S.P.SINGH,  
PRINCIPAL SECRETARY TO GOVERNMENT.**

SECTION OFFICER